

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

ADAM FRIED, ADMINISTRATOR,
ESTATE OF DESMOND FRANKLIN,

Plaintiff,

vs.

JOSE GARCIA,

Defendant.

) CASE NO.: 1:22-CV-00061
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) JUDGE DAN AARON POLSTER
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**UNOPPOSED MOTION OF DEFENDANT JOSE GARCIA TO EXTEND PAGE LIMIT
OF MEMORANDUM IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT**

Defendant, Jose Garcia, respectfully moves the Court pursuant to Local Rule 7.1(f) for leave to submit a memorandum in support of its forthcoming motion for summary judgment in excess of the twenty (20) page length permitted for cases on the standard track. Defendants request an extension to twenty-five (25) pages. The grounds for this motion are the following:

1. This case is currently assigned to the standard track.
2. LR 7.1(f), "Length of Memoranda," provides, in pertinent part: "Without prior approval of the Judicial Officer for good cause shown, memoranda relating to dispositive motions must not exceed ... twenty (20) pages for administrative, standard and unassigned cases."
3. LR 7.1(f) thus leaves the issue of dispositive motion page length to the Court's discretion. *See, e.g., Berryhill v. U.S.*, Nos. 1:13-cr-175, 1:15-cv-815, 2015 WL 3767571, *3 (N.D. Ohio June 16, 2015) ("Any motion for relief from the twenty (20) page limitation set forth in Local Rule 7.1(f) should be filed with the Court sufficiently in advance of the due date

of a memorandum to afford the undersigned time to rule on the motion and the Clerk's Office time to issue the ruling by regular mail").

4. The dispositive motion deadline is currently January 31, 2024.
5. In this case, Plaintiff is prosecuting five different causes of action, including a claim under 42 U.S. Code §1983.
6. The case involves a number of constitutional issues and immunities, which will be addressed in the pending dispositive motion.
7. Defendant requires a longer page length to adequately address each cause of action as well as the relevant immunity and constitutional issues.
8. Plaintiff does not oppose this motion.

Accordingly, good cause exists to change the twenty (20) page limit on memoranda set forth in LR 7.1(f) as to the City's memorandum in support of its forthcoming motion for summary judgment.

For the foregoing reasons, Defendant respectfully moves the Court pursuant to Local Rule 7.1(f) for leave to submit a memorandum in support of its forthcoming motion for judgment on the pleadings in excess of the twenty (20) page length permitted for cases on the standard track, and to allow an extension to twenty-five (25) pages.

Respectfully submitted,

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Director of Law

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CERTIFICATE OF SERVICE

The undersigned certifies the above document was filed electronically this 29th day of January, 2024. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access the filing through the Court's filing system.

s/Affan Ali
Affan Ali (0085698)
One of the attorneys for Defendant